STOKES.

Examination of Witnesses Continued-Further History of the Shooting.

FISK'S COACHMAN ON THE STAND.

The Grand Central Hotel and the Morse Family in Court-What About That \$1,500 ?

WAS COLONEL FISK ARMED?

The Tell-Tale Revolver and Deadly Bullet Put in Evidence.

Counsel for the Prisoner Developing Their Line of Defence.

RULING OF THE COURT THEREON

The Crowd, the Excitement and the Scenes in Court.

NINTH DAY OF THE TRIAL

The crowds that vesterday clamored for admittance to the Court where the Stokes trial is being held were tenfold greater than on the previous day, and, if possible, ten times more flerce in their efforts to force their way past the officers who kept guard at the doorways. In fact, it was found absolutely necessary during the forenoon to have twelve to fifteen officers on duty in the corridor in the vicinity of the entrance so as to insure the Court against an invasion by the hundreds who swarmed in the hallways, and whose numbers were constantly increased as the day wore on. The officers of the Court had their hands full to preserve order and prevent serious disturbances arising from

THE GENERAL CRUSH; but their good humor throughout never gave way, and the vast throng that managed to push itself into the court room proper was made as comfortable as circumstances would permit. When Judge opened every seat, in fact, every available space of standing room, was occupied. So packed was the crowd that at one time locomotion from one side of the room to the other became a matter of utter impossibility. The chief attraction with the hundreds ho succeeded in getting in, and with the by far larger number who were unable to pass the guard at the doors seemed to be, judging from the tone of the conversation on all sides, Mrs. Fisk. Stokes, it would appear, does not 'draw" on his own account as he did some time ago hen the tragedy was fresh in everybody's mind, and of course the appearance on the scene of any new characters, or rather characters that had not nown themselves in the case since the trial was first gun, have become stronger in their atfractiveness to the curlosity-seekers than the old ones. Thus Bgure, and that yesterday when the crowds poured in and got well settled in their seats the question was asked time and again by the new comers, "Where is Mrs. Fisk?" What kind of a looking woman is she?" Mrs. Fisk, however, did not put in an appearance; and the morbidly curious, who cared more about feasting their eyes upon her, criticising her every novement and commenting upon how she comared in looks to a certain other party whose ame has been incidentally mentioned during the proceedings in the Court, than they did to listening to the evidence were, therefore, sorely disap-pointed. Indeed, many who had fought like tigers in the hallways to get in hurried out as soon as they learned that she was not present; and it may be stated just here that the better portion of the audience were not slow in expressing their belief that Mrs, Fisk would have done herself a great deal ore credit had she never shown herself in Court

Murder trials as a general thing are remarkable for the attraction they prove to the rough and scum of the city. The corner loafer and his equally vagabond confrère, who make it a daily habit to squat in grogshops from early morn till they are kicked out into the street late at night; the low-lived thief of the downtown purlieus and the better-to-do Toby Crackit who ogles you and your watch chain from "club" house stoops uptown in the evening time, as a rule make up the great bulk of the court house audiences when the details of a "spicy" murder are being sifted and a fellow being's life is at stake; but somehow this trial of Stokes is an exception to the general rule as far as the spectators are concerned who have been in constant attendance. Indeed, the quasi respectability of the audience so far has become a subject of general remark, and yet how it happens that it is so is rather of a mystery. One would think that, in the general rush that takes place every day in the hallways, and in the tugging and hauling which a man has to submit to at the entrance if he has perseverance enough to even fight his way as far as the threshold, the rougher portion of the crowds would in the end gain the mastery, and that the so-called respectable would-be spectators who do not care to join in a scuffle for any purpose with the loafers would not at any time have many representatives in the Court. Still, as has already been mentioned, the facts show the usual everyday Court lounger class to be in the minority. It may be that the whole thing is owing to the discrimination of the officers of the Court, not to say anything of the police officers stationed outside

thing of the police officers stationed outside the doors. At any rate no one seems to grumble at the turn affairs have taken in this respect, and it is hardly possible that anybody who has occasion to attend the trial hereafter will find fault with the condition of things if it lasts well to the end of the trial. There was a larger number of

LADIES PRESENT

yesterday than on Thursday, but it must be said that the majority were of that lean and lanky class of an uncertain age who, not having anything at home to busy their minds, no babies to care for or husbands to please, make it a point wherever they can to kill time in some court or other where the air is heavily freighted with scandal and horrors become of necessity the general theme of witness and counsel. There were, to be sure, among the number yesterday a few who would not be libelied by being called old, and who call art to their aid in various ways the more loudly to proclaim the fact to every looker-on, but with one or two exceptions they were the same individuals who were to be seen every day at the McFarland trial, and who, no doubt, will be seen at every trial for years to come which promises developments that make nervous people's hair stand on end or afford

THE SCANDAL MONGERS

Food for tea-table goesip for months afterwards.

which promises developments that make nervous people's hair stand on end or afford

THE SCANDAL MONGERS

food for tea-table gossip for months afterwards. The môre showy ones of this species of the court lounger—and they have not forgotten their old tricks during the past few days—always get themselves into as prominent a position in the court rooms as possible, and as near the prisoner as the rules of the Court will allow, with the hope of getting noticed in the papers. To effect their purpose they always wear the same kind of dress, flaunt the same colored ribbons and occupy the same seats. Besides, they always put on a sentimental look, and pass their time in wistfully gazing at the prisoner if he be a man. This kind of thing never passes without general notice, and of course, if the artful dodgers get put into the trial accounts as "an interesting blonde," "a bewitching-tooking brunette deeply interested in the prisoner," and the like, the next day makes them all the more notorious, and so the trial jogs along, the prisoner and themselves about evenly dividing the attention of the audience of curiosity hunters.

THE WAR OF WORDS.

The witnesses who were examined during the day, with but one exception, did not afford the audience as much interest as those examined yesterday, who testified to seeing the killing of Fisk; but they were the indirect causes of several grandifoquent appurges on the part of the counsel for the prisoner, which, if they did not interest, at least startled the audience into the conviction that before the trial is ended there will be several hot con-

tests by which matters and things not directly pertinent to the case will be dragged into daylight. Fisk's colored coachman was the "innocent cause" of the first wordy warfare. He showed himself a remarkably keen-witted fellow, cool as a cucumber under the crossfire he was submitted to by the counsel, and at times quite spitcful and dangerously funny in his retorts when hard pressed to answer questions not exactly pleasing to himself. It was Mr. McKeon who opened the battle after one of his associates had asked the witness the question how late at night he had taken ness the question how late at night he had taken ness the question how late at night he had taken ness the question how late at night he had taken ness the question how late at night he had taken ness the question how late at night he had taken ness the question how late at night he had taken ness the question how late at night he had taken ness the question how late at night he had taken ness the private counsel a dig in the ribs on account of their anomalous position in the case. The Judge ruling the question out was evidently bad enough in his opinion, but the idea of a private counsel chuckling over the, to him, absurdity of the question, was too much to be borne meekly. The thing was monstrous, and the McKeon blood was up in arms at once. He sprang to his feet on the instant, and, pointing his finger at the private counsel, the exclaimed:—"And

THE PRIVATE COUNSEL LAUGHS, with the money of the unfortunate dead man in his pocket!" The private counsel did not faint at this, neither did he venture a reply, and then Mr. McKeon, warming to his work, dived into the merits of the question, and wound up by crying out, "I want this case tried as it should be! We want to show that Fisk went to that hotelior improper purposes." The counsel then sat down, and at the same moment, owing, no doubt, to the unusual fire thrown into the proceedings so unexpectedly, several of the jurors asked leave, and, obtaining it, went out into an anter room to get a drink—o

Court.

THE TELL-TALE WEAPON.

The testimony of Coroner Young, or rather his producing the revolver which, it is alleged, Stokes threw away after shooting Fisk, created a decided sensation. It was in a package, which had been sealed by him the day he obtained it, after the muraches and when he preceded to open it the whole sensation. It was in a package, which had been scaled by him the day he obtained it, after the murder, and when he proceeded to open it the whole audience rose to their feet in their anxiety to see the deadly weapon. The Judge himself got rather excited, not out of curiosity, however, but at the close proximity of the package to himself. "Is it loaded?" he asked the Coroner. "It is," replied the latter, pulling it out of the package. "Hold the muzzle up," exclaimed one of the jurymen, as he shrank back into his seat at the sight of the barrel pointed in his direction. The production of the revolver with two bullets yet undischarged was followed by the identification of the two bullets said to have been taken from the body of Colonel Fisk. The Coroner was then submitted to a flerce cross-examination as to what had become of the clothes the Colonel wore when he was shot and as to willo took them away. The witness became unduly sensitive under the examination, intimating that he was being put in the light of one who had spirited the clothes away. However, the counsel assured him that they meant to throw no siur upon him, as was apparent, their motive evidently being to impress the jury with the idea that Colonel Fisk was armed, and that had his clothes not been taken away by his friends a weapon would have been found in his pockets.

WHAT IS TO COME?

After Captain Byrne had been examined Mr.

his friends a weapon would have been found in his pockets.

WHAT IS TO COME?

After Captain Byrne had been examined Mr. Crockett, of the Grand Central, was taken in hand. The prisoner's counsel made a deadset for him, and created tremendous excitement among the audience by endeavoring to find out how long the Morse family had been at the hotel, and why Colonel Fisk had gone to see them. These questions being ruled out they then submitted a question in writing, intimating that the connection between Fisk, the hotel proprietors, the Morse family and the hotel people was such that the prisoner was being persecuted by partial witnesses. While the excitement over these tactics of the defence was at its height the Court adjourned to Monday next, both sides consenting to let the jury separate and go to their homes. When the Judge announced the pleasing intelligence to the twelve men, good and true, a broad grin of satisfaction crept over their faces, and, looking as happy as schoolboys going home on vacation, they hurriedly left the Court.

The Proceedings in Court-The Testi-

work on the 6th of January last? A. I was callboy at the ladies' entrance of the Grand Central Hotel, in the city of New York; in the afternoon, about four o'clock, I was cleaning the windows of the door; Thomas Hart was with me.

Q. Do you recollect any persons coming in that afternoon to the ladies' entrance? A. About four o'clock Mr. Stokes passed up that way.
Q. Do you see him here now? A. Yes, sir.

IDENTIFYING THE ACCUSED.

Q. You identify him as the man you saw? A. Yes, sir; there he sits, with the gray coat on; that There was here a loud murmur of excited interest all over the Court, which, however, was speedily

Q. When Stokes came in where did he go? A. He went up stairs.
Q. Did you see any other person come in soon after? A. Yes, sir, Mr. Pisk; it was about ten minutes after Stokes had come in.
Q. Did you know the prisoner before that by sight? A. No, sir.
Q. Did you know Colonel Fisk before that? A. Yes, sir.

sight? A. No, Sir.

Q. Did you know Colonel Fisk before that? A. Yes, sir.

WHAT FISK CAME FOR.

Q. Did he say anything to you? A. Yes, sir, and I replied; Stokes said nothing when he came in.

Q. What did Fisk say? A. He asked me if Mrs. Morse or her youngest daughter were in; I said "No," and he then asked me if the other young lady was in; I told him that I thought she was.

Q. Anything further said? A. He asked me if I would not please go up stairs with him and see; we then went up stairs, Colonel Fisk going three or four steps in advance.

THE MURDER.

When about halfway up I heard the report of a pistol, and, looking up, I saw Stokes in this position, with his left hand on the banister (the witness here stood as nearly as possible in the position of Stokes at the time of the shooting, with the right hand lowered and stretched out, and the head bent forward); Mr. Fisk fell down and cried, "Oh!" he got up again and turned round as if to go upstairs, when the second shot was fired.

Q. What occurred then? A. Colonel Fisk sild down about six steps, but he got up on the first landing and walked to the bottom of the stairs; it was the same man who fired the second shot that fired the first.

Q. Did you see the pistol? A. No, sir, I did not; I saw the right hand raised, (here the witness again described the position of Stokes in the act of firing).

again described the position of Stokes in the act of firing).

AFTER THE SHOOTING.

Q. What was done after that? A. Mr. Fisk, to the best of my knowledge, turned round and went up stairs; I went to go out, but did not, and turned round and saw Fisk at the head of the stairs, supported by some gentlemen—who they were I don't know.

Q. Did you hear or see anything further in connection with this matter? A. I saw Mr. Fisk and Mr. Stokes, when Stokes was brought into the room to be identified.

Q. Was the man brought in as Mr. Stokes the same man that fired? A. Yes, sir; there was a gaslight at the head of the stairs and it was burning.

Q. Did you see anybody but Stokes at the head of the stairs? A. No, sir.

Q. Who was the first man that you saw whom you snew after these shots were fired? A. I was too excited to tell.

Q. When did you see Colonel Fisk next? A. About five minutes afterwards I was in the room where Fisk was; there were a great many persons in there.

Q. You say you started to go out of the door—

Q. When did you see Colonel Fisk next? A. About five minutes afterwards I was in the room where Fisk was; there were a great many persons in there.

Q. You say you started to go out of the door—did any person come in from the outside while you were there? A. No, sir! I did not go more than about five feet away from Fisk; I went out of the outside door after that.

Q. Where was Thomas Hart all this time? A. It was his turn to clean the globe of the door that day, and he had taken it up stairs; I do not know exactly where he was at the time of the shooting.

Cross-examined—Where were you born? A. In the city of New York; I went to the Grand Central Hotel on the 14th of June; that was my first place away from home; I am nineteen years of age.

PISK'S ATTIRE.

Q. How was Fisk dressed that day? A. He had a bine coat on; I do not know the color of his pants.

Q. Did he not have a military cloak on? A. I cannot say; I do not remember what kind of a coat he had on; I had seen Fisk about a month before.

Q. Did you state at the Coroner's inquest that Hart was with you? A. To the best of my knowledge I did.

Q. Why did you let Stokes in at the ladies' entrance? A. I was at the top of the step ladder and could not stop him, so I allowed him to pass; the ladder was about six feet high.

Q. Did you hear any words pass between Fisk and Stokes? A. No, sir, I did not.

Q. What did Pisk say when brought into the room? A. When Stokes came, they said to him, "Who is this?" and he said "Stokes."

THE DISTANCE BETWEEN THE MEN.

Q. When the pistol fired did not you suppose that Fisk was killed? A. I did not know what was the matter; I did not know what has the matter; I did not know what has at the matter; I did not know what he was killed?

Q. How did you come into the room with Fisk af-

terward? A. Mr. Crockett sent me there, as he found out that I knew something about it; Captain Byrnes then took me in charge; that was about half an nour after the shooting.

GIVING THE ALARM.

Q. Did you not go outside and say, "Fish is shot!"

A. I told Plak's cocomman so, after he had been taken up stairs.

A. I told Pisk's coachman so, after he had been taken up stairs.

Q. Don't you recollect in the station house a gentleman sitting next to you and attempting to soothe you, and your saying to him that you were arrested in the Pisk case, and that you knew nothing about it? A. No. sir.

Richard Wandle, sworn—Q. Do you know the prisoner by sight? A. Yes, sir; I have known him two or three years.

was standing at the entrance to the Grand Central Hotel, just off the sidewalk, between the house and

Hotel, just off the sidewalk, between the house and the street.

Q. Did you see the prisoner at that time? A. I saw him coming down Broadway on the right hand side—the west side. He was going fast—not quite a run, but between a run and a fast walk.

STOKES RUNS AGAINST A LADY.

Q. Did you notice anything particular that occurred just before he entered the hote!? A. He ran against a lady and struck her, which attracted my attention; he came on and ran into the ladies' entrance.

my attention; he came on and ran into the ladies' entrance.
Q. Was that before the shooting? A. Yes, sir.
Q. Did you see any other person soon after that going into the same entrance? A. I saw Mr. Fisk's carriage drive up.
Q. How long after Stokes came in? A. I cannot say—probably from two to five minutes; the carriage came down Broadway; it stopped a little this side of the ladies' entrance.
Q. When did you hear of this affair? A. About four or five minutes afterwards; I did not hear the shots; I went into the office and saw the prisoner among the crowd; I think an officer had charge of him, but I could not see very well.

A COOL DISCUSSION OF WITNESS! RECORD.
Cross-examined—Q. Where do you live? A. I reside at 36 Bond street, where I have lived for about four years.
Q. Whet is your huminess?

our years.

Q. What is your business? A. A sporting man.
Q. What is your business? A. A sporting man.
Q. I am a greenhorn—what do you mean by that?
A. You may term it a gambler if you like.
Q. How long have you been a gambler? A. About en years; I do not keep a gaming establishment.
Q. What is the way you carry on your business?
A. Playing cards in different styles for money.
Q. Anything else? A. I don't know of anything like.

Q. Anything else? A. I don't know of anything else.
Q. How regularly do you carry it on? A. Probably every day; I have played at different places through the city, both night and day.
Q. Did you ever play with Fisk? A. No, sir; I never had any business or sporting connection with him.

A GAMBLER'S AQUAINTANCE WITH STOKES.
Q. Did you ever see Stokes before this affair? A. On different occasions, but I never spoke to him; I have seen him in the street and in sporting houses; I never did business with him; I was not called as a witness before the Coroner; I think I told Mr. Richards, of the St. George Hotel, what I had seen the night of the shooting; I have also told Mr. Shed about it.

about it.

Q. Had you been doing anything that day? A. I don't think I had been doing anything in particular.

Q. Any one helping you? A. A great many; yes, sir. Q. Had you been drinking? A. No, sir; I never

drink.
Q. Keep your head cool and play vigorously, ch?
A. Yes, sir,
Q. Had you been sporting, as you call it? A.
More than likely.
Q. Do you play for large stakes? A. That depends on circumstances; if I have it to play with I Q. You generally have it, don't you? A. Some-times I do.

Q. You generally have it, don't you? A. Sometimes I do.
Q. Are you a "roper in?" A. I never roped a man in in my lite.
Q. Does not this Mr. Shed you speak of keep a skin game near the Central Hotel? A. I do not know; you can call it what you like; he carries on business at 689 Broadway.
Q. Where had you been that day of the shooting?
A. I had been to Hughes', corner of Nassau and Ann streets, and had then walked up town.
Q. How many persons were there outside the hotel with you? A. More than a dozen; the prisoner was, perhaps, fifty feet away from me; I don't know if Fisk's carriage came right up to the sidewalk; I think it did, but there is a chance of my being mistaken.

know if Fisk's carriage came right up to the sidewalk; I think it did, but there is a chance of my
being mistaken.

Francis Houseman sworn—What was your business on the 6th January last ? A. I was coachman
to James Fisk, Jr.; I drove his carriage to the
Grand Central Hotel; the Colonel got into the carriage at the Opera House.

Q. Which way did you go? A. Up Twenty-third
street to Fith avenue, down Fifth avenue to Fourteenth street, Fourteenth street to Broadway, and
down Broadway to the Grand Central Hotel; we
stopped nowhere on the way; Colonel Fisk was
alone in the carriage.

Q. What time was it when you started? A. In
the neighborhood of half-past three; when we
arrived at the hotel we stopped as nearly as possible opposite the door of the ladies' entrance of
the hotel; there was a carriage between us and the
sidewalk, and Colonel Fisk go; out.

"LOOKING VERY PALE."

Q. Did you see Fisk again after that? A. Yes,
sir; he just opened the door, looking very pale, and
came half way out.

Q. Did you hear the firing? A. I can't say that I
did.

Q. Did you see him after that before you went
home? A. No, sir.

Q. Did you see him after that before you went home? A. No, sir.
Q. How was the Colonel dressed? A. He had a blue coat on—a wrapper like.
Q. Do you remember if any one came out and told you he had been shot? A. The boy that was at the door told me; I went away to the Opera House and told Mr. Comer, and came right back again.
Q. How long was it after the Colonel went in that you saw him come half way out again? A. About a minute and a half.

THE COACHMAN'S HISTORY.

THE COACHMAN'S HISTORY.

Q. Where were you before you went to Colonel
Fisk? A. I was with a Mr. Eldridge, in Thirtyeighth street; I was with him for four months,
before that I had been working at jobbing and
general work; I was born in New York; I have no
parents, but I have a family.

Q. How often did you drive to the Grand Central
Hotel with Fisk? A. Nearly every day; I had no
regular time of going there.

Q. How late at nights have you been there? A.
I can't say.

THE COURT TAKES A FIRM STAND.

Q. How early in the morning?
The District Attorney—Is this relevant, your
Honor?

Honor?

Mr. McKeon—Is it the public prosecutor of the people that objects to my showing the purpose of Colonel Fisk's visit to the hotel? I ask the prosecutor, who is elected by the votes of the people, whether he dares to act thus, in a case where the

whether he dares to act thus, in a case where the ite of a man is involved? The Court—You have no right to question the public prosecutor.

Mr. Heach began to speak, when he was interrupted as follows:— Mr. McKeon—Here are private counsel with the money of this unfortunate man in their pockets interfering. I mean to try this case as it ought to be tried. I mean to show that this man went to the hotel for improper purposes. If this man is to be shielded let us know what power there is behind the throne to do it. shielded let us know what power there is beaund the throne to do it.

The Court—Do you mean that question to apply to the time previous to this occurrence? If so I shall rule it out.

Mr. McKeon—Then your Honor will note our ex-

WAGES, &C.

Q. Where have you been since Fisk's death? A.

I remained in New York till the 22d of April and
then went to Rochester; I stayed in Mrs. Fisk's
service; I bought a hack on the 18th of April, and
when I leit New York I left it in the charge of

another man.

Q. What were your wages with Mr. Eldridge?
The Court—I must exclude that question; it is
wholly immaterial.

Q. What wages did you receive with Fisk? A.
Eighty dollars a month; there are four in my
family, and there is an old lady living with me; I
lived at 344 West Twenty-fourth street, over the
stable. stable.

Q. What did the boy say when he came out of the hotel? A. He said, "The boss is shot at."

NEGATIVE TESTIMONY.

Q. Did you make a remark to a man that climbed up on the wheel of your coach to talk to you that Fisk was armed? A. No, sir.

Q. Did you say to him, "I wonder that the old man did not puil on him, for he was fixed?" A. No, sir.

man did not puil on him, for he was fixed?" A. No, sir.

Q. Did you state that you had two pistols at that time? A. No, sir.

Q. Or anything to that effect? A. No, sir.

Q. Is that as true as anything else you have testified? A. Yes, sir.

Redirect—Q. Had you any arms with you, or were there any in the carriage? A. No, sir.

Redirect—Q. Had you any arms with you, or were there any in the carriage? A. No, sir.

Re-cross—Q. Did not Colonel Pisk take a pistol out of a saddle in the stable that day? A. No, sir, nor have I stated so to anybody.

Q. Have you ever stated anything like that to a Dr. Newman? A. No, sir.

Q. Do you mean to say that Colonel Fisk kept no pistol in the stable? A. No, sir.

Q. Did you ever see Colonel Fisk with a pistol?

A. No, sir.

Q. And I said "Never?" A. Never; it was none of my business to know whether he had a pistol or not; I was his servant, not his comrade.

THE CORONER ON THE STAND.

Coroner Nelson W. Young, sworn:—Q. Did you make an investigation as Coroner in this case? A. Yes, sir.

Q. Did you receive a pistol in connection with it?

Coroner Nelson W. Young, sworn:—Q. Did you make an investigation as Coroner in this case? A. Yes, sir.

Q. Did you receive a pistol in connection with it?
A. Yes, sir; I received a pistol from Captain Burns; I took it and sealed it up in a package immediately after the inquest, and this (pointing to a package) is it; the seal is unbroken; it contains another package, containing two pistol bullets; one of them I got from Dr. Marsh, my deputy, and the other from Captain Byrne, of the Flitteenth precinct.

Q. Is that the pistol (pointing to the weapon which the Coroner had brought forth from its swathing papers)? A. Yes, sir; I have a memorandum of the marks upon it, and I am sure that it is the same; the bullets I also identify by private marks.

marks.

Cross-examined—Q. When did you arrive at the Grand Central Hotel? A. About a quarter-past seven; I went to the station house first and then crossed to the hotel; I think I entered from the Mercer street side through the barber's shan: I

passed through the main hotel and up to where Colonel Pisk was lying.

Q. Where did you find Pisk? A. In a room off from what might be called a parlor.

Q. What was his condition? A. I sound him lying in bed, with the left hand outside the bed, restling on a pillow.

Q. Did you speak to him? A. I did, and took him by the hand that was out.

Q. Did he make any movement? A. My impression is that he did.

Q. When you saw him in bed he was undressed; were you present when his clothes were taken off? A. No, sir; I was not.

Q. Did you see his clothes there? A. No, sir.

LIGAL HUMANITY.

Q. Is there a law forbidding any one to touch a wounded person until the Coroner arrives? A. (with an amused smile) No, sir, and there ought not to be, I should think.

Q. You did not inquire about the clothes? A. No, sir, although I asked a question about Colonel Pisk's effects; I think a young man by the name of Morse answered me and said they had been handed over to Mr. Powers.

Q. Was that Mr. Morse the same gentleman who was on the ante-mortem inquest? A. I do not remember that he was there; he may have been; I summoned verbally a half-dozen gentlemen present, without asking their names or knowing them until they signed the paper.

Q. Did you see Mr. Powers about the things? A. Yes, sir, that same night; he gave them to me and I gave him a receipt, though at first he did not want to take one.

THE MUKDERED MAN'S EPPEOTS.

Q. What did you receive from him? A. I received

THE MURDERED MAN'S EFFECTS.
Q. What did you receive from him? A. I received fifteen \$100 bills, a large diamond pin and a pair of diamond sleeve buttons, a gold watch and chain and a bunch of keys.
Q. Was there any pocketbook in which the money was placed? A. I think not, but I won't be positive.

Q. Were these fifteen bills rolled up? A. I think they were simply rolled up—not in paper nor anything of that kind.
Q. Were the clothes there at the time? A. No, Q. You gave no receipt for the clothes? A. No,

Q. Did you ask for them? A. I did not; I had no right to them; the man was not dead.

BULLYING THE CORONER.

Q. Was not there a likelihood that he would die? Why did not you keep everything?

The Court objected to the Coroner thus being called to account for his official conduct, but Mr. Young quietly replied—

A. I made no inquiry for the clothes, sir.

Q. Did you hold the inquest? A. I did, after his death.

Q. Were there any clothes, produced, there?

death.

Q. Were there any clothes produced there? A. They were not exhibited there.

Q. When did you first see the money? A. At the time I went to give it up to the proper parties.

Q. To whom was that property delivered? A. Mrs. Colonel Fisk indirectly.

Q. What do you mean by indirectly?

The Court again interfered; but the Coroner again expressed his willingness to have the whole matter gone into, and had begun explaining, when by common consent the line of inquiry was changed.

Changed.

PISK'S CLOTHES.

Q. Where did you see the clothes? A. At Colonel Fisk's house after the funeral; I think on Wednesday after the occurrence.

Q. Did you see Mr. Fisk that night after you saw him at about seven o'clock? A. I think I saw him twice that night—once about a quarter past seven and again a half or three-quarters of an hour afterward.

Q. Were there many people with him? A. No, ir, not many; I was told they were doctors; there were Doctors Fisher and Tripler.
Q. Were they near the bed? A. They were surgunding it. counding it.

Q. Doing anything? A. Administering some med-cine or stimulants; I did not see any instruments.

Q. Did you see Fisk the next morning? A. Yes; saw him just before twelve o'clock; he was then

PRIVATE OR PUBLIC.
o you recollect Redmond and two other boys,
statement you took? A. I took their state-Q. Do you reco

whose statement you took? A. I took their statement in writing.

Q. Where are those papers? A. I don't know where they are; they may have been lost or destroyed; they were private papers.

Q. But where are they?

The Court here interfered, and Mr. McKeon said:—is it possible that in an investigation involving the life of a man, and where an officer of the law takes a statement, that we have not a right to see what has transpired?

The Court—I cannot allow this line of argument.

The Coroner—I think it is more than likely that I destroyed them; I am not positive what I did with them.

destroyed them, A. Merely to see whether I should hold these boys as witnesses.
Q. You discharged these boys? A. Because I was satisfied the boys would be forthcoming at the inquest, and Mr. Powers said that he would be personally responsible that none should tamper with them.

hem. The Court then took a recess.

The Court then took a recess,

After the Recess.

Judge Ingraham was promptly in his place, but both jury and counsel lingered, and it was nearly two o'clock before proceedings were resumed. There was the same rush for entrance into the court room as prevailed in the morning, but the strict orders of the Court not to permit any noisy demonstrations, as strictly observed by the officers, kept the crowd back, and the room, as heretofore, was not uncomfortably filled.

TESTIMONY OF CAPTAIN BYRNES

Captain Thomas Byrne, of the Fifteenth precinct, was the first called, and testified—(examined by the District Attorney)—If sret heard of the affair about four o'clock, when I was standing at the corner of Eighth street and Broadway; on going to the station house I learned Mr. Stokes had been identified as the man who shot Colonel Fisk; I went over and saw Colonel Fisk; about fifteen minutes past seven I received a pistol from Crockett and a ball that was found on the stairs: I gave them to Coroner

saw Colonel Fisk; about fifteen minutes past seven i received a pistol from Crockett and a bail that was found on the stairs; I gave them to Coroner Young—not the same evening, but at the Coroner's Inquest.

To Mr. McKeon—It must have been twenty minutes past four when I reached the hotel; when I went into Colonel Fisk's room there were four or five people there; Dr. Fisher, I think, and Dr. Tripler; he was examining the wound; I saw it, and remarked what a large bail it must have been; I didn't see how deep the probe went in; Mr. Fisk laid there as if he had no pain at all; I should judge his voice was natural; I saw the boys, Hart and Redmond, during that evening; I did not take a statement from them; I was there when the Coroner was asking them some questions; they were discharged, and were gone from an hour and a half to two hours; I didn't get the pistol till about seven; I got it while the Coroner was there.

Q. Is Mr. Crockett here? A. I saw him here. (Mr. Crockett here rose.) I did not see Stokes arrested; I saw him as I came to the station house; I directed Officer Madden to sit beside him till I came back; he was sent to the cell about half an hour later.

Q. Who was the first person allowed to go into his cell? A. Mr. McKeon.

Q. Myself; when was that? A. About six o'clock or half-past six.

Mr. McKeon—This is about correct; did Hart tell you that he saw Mr. Stokes throw anything away? A. I don't think he did; we didn't take down his statement; we took down the names of witnesses; we did not get Mr. Wandel's name; I have seen him standing in a great many places on Broadway.

TESTIMONY OF S. FRANK CROCKETT.

S. Frank Crockett was sworn and testified. By the District Attorney—I had charge of the front office of the Grand Central Hotel on the 6th January; I received a pistol on the parlor floor from the parlor man we call Henry: I immediately took it down to Mr. Powers, and in his presence threw up the chambers and found two disolarged; I lett it for a while in Mr. Powers said, "Arrest that man;" three

The jury examined the model with considerable care.

After which witness resumed:—In Colonel Fisk's room there were Mr. Haskins, Mr. Curtis, young Mr. Powers and Dr. Tripler; I don't recall any others; the prisoner was brought in by an officer, McAdam, while I was there; I heard Mr. Fisk say something to the officer; Captain Byrne came in some time after the shooting and I informed him that I had a pistol; I then handed it to him; it was the same pistol that I had received from Henry; I also gave him a buillet I received from Patrick Hart; that was about five o'clock, and after I had given him the pistol.

Q. State what was the first you heard of the amir. A. It was a few minutes before four o'clock; I was in the front office and standing near Mr. Powers at the time; I heard two distinct reports of a pistol; I immediately said to Mr. Powers—

THE WITNESS

ports of a pistol; I immediately said to Mr. Powers—

THE WITNESS

was interrupted by counsel, and after being told to state only what he saw and did, continued—in some two minutes, perhaps, a person with a GRAY COAT

and a cane in his hand came down the front stairs leading to the office; as he came down I heard him say that a man was shot; I didn't hear any more than that; this person went towards the barber shop and was the person afterwards arrested; Mr. Powers, when he heard the boy say "that is the man," ordered some of the persons of the hotel near to arrest him; these were Ben Allen, stage driver at the hotel; Philip Farley and Pat McGrath; it was then I went up stairs and saw Mr. Fisk, and heard him say something to the policeman; Stokes was then present.

Q. What did Mr. Fisk say?

Mr. McKson (rising excitedly)—Is the District At.

torney trying to put in evidence the ante-mortem examination?

The District Attorney (very coolly)—I haven't said a word about it.

Private counsel objected to the interruption by defendant's counsel, when

Mr. McKeon again started to his feet, and, in his usual excited manner, said—I know what I am about, and I will not stand here and see private counsel interfering in the case.

Private Counsel—I maintain the right to address the Court against these interruptions.

Mr. McKeon—I stand here the defender of a man on trial for his life, and I protest against any man hired as private counsel and actuated by paid influences to prosecute.

THE COURT INTERPRETE AGAIN.

Judge Ingraham cut Mr. McKeon short in his harangue, saying:—I had occasion three times to object to counsel's use of such language regarding private counsel. A motion was made on that subject and I decided on it, and after having done so I think it is highly improper for counsel to continually introduce the subject.

Mr. McKeon—However I may bow to the decision of the Court, I am not going to sit here and submit to private counsel's dictation. Mr. McKeon then resumed his seat, some applause following his remarks.

Q. What was it you heard Mr. Fisk say to the po-

resumed his seat, some approximates.

Mat was it you heard Mr. Fisk say to the policeman who had Stokes in charge? A. Mr. Fisk said—

"THAT IS STOKES,

"THAT IS STOKES,
the man that shot me."

CROSS-EXAMINED.

TO Mr. Tremain—I have known Mr. Fisk for fifteen years; not intimately.

Q. Haye you had a good deal to do in getting up this case? A. I have not, that I know of; I have given some names of witnesses to Mr. Byrne; the District Attorney has asked me about several persons and I have an answered him; I have not, that I remember, told any one not to subpena Henry; I knew Mr. Comer; he was employed in some subordinate department of the Eric Railway; I have had two or three conversations with him since the occurrence.

Q. Suppose some one was standing near the door of 209; could anybody see him from the bottom?

A. He would be round the corner, and of course he could not be seen; I have had no conversation that I recollect about subpœnaing Henry; I supposed that he would be subpœnaed, and am surprised he was not.

Q. How do you know that he is not? A. I have not seen him, and I have been here to-day and yesterday.

Q. Did you say that Stokes was running? A. I say that he was coming fast, so that his coat flaps were flying back; I should say he was running; coming faster than a walk; I give you my best recollection; I am very positive he used the expressions I have given; I don't think I saw Colonel Fisk at the hotel more than two or three times.

Q. How long had that Morse family been there? Objected to by the District Attorney as irrelevant. Mr. McKeon—Suppose this \$1,500 found on Fisk was intended to pay their board bill.

Mr. Tremain urged that some latitude must be given to a cross-examination. Counsel should not be suspected of any intention whatever to trifle with the Court. Nor should they be called on at all points to disclose the purpose of the cross-examination, and thus put the witness on his guard against the very object of the examination. If the Court saw any purpose of the counsel for the defence to trifle with the Court, then let it put on them the iron collar and force them to tell in advance the purpose and majeriality of the questions; but if the counsel were to be credited with honest purposes then they must be given this latitude. He would, If the Court demanded it, give the purpose of the question. It was true that no one had the right to shoot another because he was a bad man, but if that bad character of the deceased was so wrapped around the prisoner by circumstances that it led him to feel himself overwhelmed by it, and to be in danger of

so wrapped around the prisoner by circumstances that it led him to feel himself overwhelmed by it, and to be in danger of DEATH ITSELF on account of it, surely they had the right to show it. And if he had paid the bills for months of this Morse family, if this character had so involved the proprietors of the hotel that they sought to bring the best witnesses to be found against the prisoner, and to keep back those who might be advantageous to them, surely they had a right to inquire into the relations, to show what motives influenced the proprietors of the hotel.

The District Attorney insisted that this question could have no possible bearing upon the guilt of the prisoner. The purpose with which that family were there or the length of the time they had been there did not make Mr. Fisk's life less under the protection of the law. It did not authorize the prisoner to shoot him. It had no possible effect on the guilt or innocence of the prisoner.

Mr. Tremain, in reply, said that this was aside from the question of the limits of a cross-examination; where was the harm in opening, wide the doors to show the relations between the decased and this family, and incidentally the influence they had on these witnesses and the proprietors of this hotel?

The Court ruled that this matter was not cross-examination, but new matter, and was not relevant to the case. He, therefore, excluded the question.

Mr. Tremsin then stated that to save time he

vant to the case. He, therefore, excluded acquestion.

Mr. Tremain then stated that to save time he made this offer. While this was being reduced to writing the witnesses' examination was resumed. I was not examined at the Coroner's inquest; I took some books to the boys in the House of Detention and some cards—a pack of cards; I did not talk to them, except in the presence of an officer; I did not arrange to bring any woman here as a witness from Massachusetts; I had one conversation with Coughlin in the District Attorney's office; the last time I heard Fisk speak was when he was first placed in bed.

ed in bed.

GRAND CENTRAL HOTEL AND THE MORSE THE GRAND CENTRAL HOTEL AND THE MORSE FAMILY.

Counsel for the defence here read to the Court what they proposed to elicit from the question "How long had the Morse iamily been there?" and which had been ruled out by the Court as irrelevant to the issue. The paper was as follows:—

"The defence propose to show that the Grand Central Hotel, so far as the purposes for which the deceased, James Pisk, Jr., visited it, was a house of assignation; that the proprietors of such house were standing in the light of proprietors of such a house; that the deceased paid the proprietors of such house large sums of money to defray the expenses of his mistresses at different times, and that witness had knowledge of such facts."

Adjournment Till Monday. Mr. Tremain said he had understood that for the sake of the jury he proposed to sit to-morrow. For himself he felt the need of the rest, and he asked as a personal layor that the Court would adjourn over, and he was perfectly willing that the jury should

Mr. Garvin said he had no fear of a New York jury ar. Garvin said he had no fear of a New York jury under a proper charge of the Court, and was quite willing they should separate.

After a pretty strict charge from the Court to avoid talking about the matter, or being talked to, or reading anything in relation to the case, the jury were allowed to separate, and the Court adjourned to Monday.

AT THE TOMRS

Stabbed by a Woman-A Bookkeeper Locked Up for Embezzlement.

There was brought to the Tombs Police Conr vesterday morning, by an officer of the Fourteenth precinct, a young girl who gave her name as Ellen Carlock. She was charged with having stabbed Nicholas Humbert, of 85 Monroe street, the night before. It seems she was passing through Grand street when she met two men, one of whom she stopped and said something to which was inaudible to Humbert and a friend who were walking about thirty feet behind the party accosted. Just as Humbert came up, however, he noticed the girl strike the man on the back, and saw him in turn hit her over the head with a small switch he carried. The two then separated, the girl going on toward the Bowery, and the man, with his companion, turning up a side street. Humbert and his friend continued on about fifty feet behind the girl, who stopped at the intersection of the Bowery and Grand street, and when Humbert came up rushed at him and plunged the large blade of a pocket knife into his breast, indicting a very severe if not dangerous wound. The injured man cried for help, and Officer Conklin quickly responded and arrested the infuriated Amazon. She told Judge Hogan she mistook Humbert for the man she had spoken to, and who had hit her with the switch. She was committed for trial.

On the 22d instant the proprietor of the St. Denis Hotel bought \$23 worth of ale from the firm of A. C. Lawrence & Co., No. 93 and 95 Leonard street. Three days later Albert D. Holly, who was employed by the firm as bookkeeper and collector, presented the bill to the cashler of the hotel and received the full amount in payment therof, which little sum he somehow neglected to hand over to his employers. He was brought before the Judge yesterday morning and committed for trial in default of \$2,000 bail. strike the man on the back, and saw him in

SUNDAY SCHOOL CHILDREN'S PICNIC. The children who are instructed in the Sunday

school attached to the Roman Catholic church of

St. Vincent Ferrar, Rev. Father Lilly, pastor, enthe old park grounds in Westchester county. The little ones, to the number of several hundred, paraded at the church at an early hour in the morning. Mass was celebrated, their parents and many friends forming, with the juveniles, a large congregation. Filing from the church the party proceeded to the depot of the Third Avenue Railroad Company, from which point they were taken, in a number of cars which had been specially hired for the occasion, to the place of enjoyment. They were accompanied by four clergymen of the Dominican Order. The picturesque park was in clegant trim, the weather delightml; the games, music, dancing, more robust gymnastics, and other exercises excellent and refreshing. Large numbers of our most respectable and enterprising citizens attended and received and gave pleasure by their presence. Many old-time associations were renewed, and many new acquaintances formed. The children were returned to their homes by Father Lilly and his reverend coadjutors at an early hour in the evening, in health, and made still more happy by the outdoor fetc. ing. Mass was celebrated, their parents and many

THE COURTS.

Interesting Proceedings in the New York and Brooklyn Courts.

Privileges of Counsel Before Grand Juries-The-Wiegel Perjury Case—An Interesting Legal
Question—A Counterfeiter Sentenced—

Charge of Presenting Fraudulent Bills-Business of the

UNITED STATES CIRCUIT COURT.

An Important Case-Privileges of Counsel. Before Judge Shipman.
In the case of William J. Pollock, lately indic

for smuggling, the United States Grand Jury which indicted him sent to his counsel. Mr. Joseph Bell, indicted him sent to his counsel. Mr. Joseph Bell, for some letters belonging to Pollock which Pollock had entrusted to him. Mr. Bell declined to give them up, on the ground that it would be a breach of faith to his client to comply, and that they were privileged communications, which not even a Grand Jury con d legally oblige delivery of to them. The matter was brought to the attention of Judge Shipman on Thursday, with a view of having Mr. Bell punished for contempt for not obeying the commands of the Grand Jury, and the Judge now has the matter under consideration. The Wiegel Perjury Case-His Arraign

ment.
In the United States Circuit Court yesterday morning William H. Wiegel, indicted for perjury, in giving false testimony in the Tilden-Butier suit, was arraigned to plead to the indictment before Judge straigned to plead to the indictment before Judge Shipman. The Court informed him that he must renew in this city his \$5,000 bail given in Baitimore; with two good sureties, justifying in \$10,000.

Wiegel said that he had no friends in this city, and feared that it would be difficult for him to procure bail. He did not fear trial, and was ready to go on at any time and defend himself if necessary. He hoped he would be given time to procure bail, and not be dogged by detectives in the meantime. He was given until this morning to get bail, and quickly left the court room, thanking the Court for the time granted.

Interesting Legal Question. Rills have been filed in the United States Circuit Court by the Babcock Fire Extinguisher Company against the "National" and "Philadelphia" (Gardprominent purchasers of the infringing machines in this city, Philadelphia and Baltimore. The bills claim that these extinguishers, in using carbonic acid gas in combination with water, infringe the Carlier & Vignon patent, owned by the Babcock Company, and pray for infunctions restraining them from the manufacture, sale or use of "National" or "Gardner" machines, and for specific damages. ner) Fire Extinguisher Companies, and against

Counterfelters Sentenced.

Patrick Kelly, the venerable counterfeiter who was arrested for dealing in spurious bills, was taken before Judge Shipman, in the United States Circuit Court, to be sentenced. His counsel, Mr. Spencer, appealed to the Court to act leniently towards Kelly on account of his extreme age.

Judge Shipman sent Kelly to the Kings County Pententiary for one year, and imposed upon him a

fine of \$1,000.

Frank Mulvey, another counterfeiter, indicted for having spurious bills in his possession, was released by Judge Shipman on giving \$1,000 bail to appear if called upon at the October term of the Court.

Charge of Presenting Fraudulent Bills Before Judge Larremore.

Frederick Kindorff was arrested yesterday by a deputy sheriff, at the suit of Peter Lorillard and Charles Leidler, who constitute the well-known tobacco firm of P. Lorillard & Co., on a charge of presenting fraudulent bills for goods supplied by him to the establishment. The order of arrest was issued by Judge Larremore, and the complaint sets forth that Leidler had entered into an agreement with Mr. Campbell, a shipping clerk in the employ of Lorlilard & Co., to certify the fraudulent bills; that the full number of articles for which payment was made was not delivered, and that the firm has been defrauded of \$7,855. The prisoner was taken before Deputy Jarvis, preparatory to giving bail in the sum of \$8,000.

the sum of \$8,000.

Court Notices.

Chambers will be held in Part II. Common Pleasen Monday, 1st July, at 10 A. M., and continue until further notice.

During the months of July, August and September no business will be done in the Chambers of the Common Pleas on Saturday. All motions for that day will stand & r until the following Monday.

NATHANIEL JARVIS, Jr., Clerk.

COURT OF GENERAL SESSIONS. Two Highway Robbers Sent to the State

Before Recorder Hackett. The trial of John Conklin and Edward J. Smith, which was commenced on Thursday afternoon, was finished yesterday morning. The prisoners werecharged with assaulting a woman named Ida Ellett,
at the foot of Delancey street, on the 6th of May,
and stealing \$7 in money. According to her story
which was corroborated by a police officer and,
another witness, the prisoners sprang from behind
a pile of lumber, and not only took her money, but
stripped her of her bonnet and shawl. The accased persons swore that they did not touch or robthe complainant. After a few moments' deliberation the jury rendered a verdict of guilty. Conkin,
who is a notorious character, was sent by the Recorder to the State Prison for twenty years, and
Smith was sentenced to imprisonment at Sing Sing
for the period of ten years.

Miner, the Confederate of Chauncey

Miner, the Confederate of Chaunces Johnson, Sent to Sing Sing for Five

Years. Henry Miner, alias Peter Hart, who was tried and convicted of grand larceny early in the week, being associated with Chauncey Johnson in the theft, was brought up for sentence. Mr. Mitchell made an appeal for a lenient sentence, but the Recorder imposed the highest penalty the law allowed, which was five years in the State Prison. Other Sentences.

John Smith, who pleaded guilty to stealing \$100 worth of wearing apparel from Owen Gormley, was sent to the State Prison for three years.
James Muhin, who pleaded guilty to an attempt at grand larceny, was sent to the State Prison for two years and six months.
John Keefe, alias Johnny the Greek, who pleaded guilty to a smilar charge, was sent to the Penitentiary for one year.

The Obscene Literature Traffic. John Meeker, a dealer in photographs and fancy pictures, at 106 Nassau street, was placed on trial, charged with having in his possession trial, charged with having in his possession obseene photographs with intent to sell them, in violation of the statute passed to suppress the traffic in immoral literature. This was one of a number of indictments brought against several parties for a similar offence. Mr. Anthony Comstock, the principal witness for the people, testified that he accompanied police officers to the defendant's place of business and seized a number of glass negatives of obseene photographs and other fancy card photographs, which Assistant District. Attorney Fellows put in evidence. The jury scrutinized the filthy things with great particularity, At the close of the case for the prosecution the Court adjourned till Monday.

BROOKLYN COURTS.

COURT OF OYER AND TERMINER.

The Fitzpatrick Homicide-The Trial Postponed and the Prisoner Admitted to

Before Judge Pratt and Associate Justices Voorhees and Johnson. Thomas Fitzpatrick, of No. 286 Van Brunt street, was indicted on the charge of having caused the death of his wife Mary. The indictment was for

was indicted on the charge of having caused the death of his wife Mary. The indictment was for murder in the first degree. On Sunday, the 9th inst., the prisoner and his wife had a quarrel, during which the former kicked and beat the latter so severely that she died on Tuesday following. The circumstances of the tragic affair were fully published in the Herald.

Yesterday morning the case was called on for trial. District Attorney Winchester Britton appeared for the people and Generals Tracy and Catlin for the defence. The latter were assigned by the Court to defend Pitzpatrick.

District Attorney Britton said that he would be unable to proceed yesterday in consequence of the absence of a very important witness from the city. General Tracy desired to try the case at once; for in the event of a postponement the prisoner would have to lie in jail until the next term of the Court, which would not be held until October.

District Attorney Britton said he would not object to the prisoner being admitted to bail, as upon examination of the case, he had come to the conclusion that he could only ask for a verdiet of manslaughter in some inferior degree. He would consent to accept bail for manslaughter in the fourth degree.

General Tracy stated that the prisoner was a poor man, a day laborer, and asked the Court to take that fact into consideration when fixing the amount of bail.

Judge Pratt fixed the bail at \$1,000. The case, therefore, goes over until October.